

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "14" has been used to designate both "booster" and "control unit". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The disclosure is objected to because of the following informalities: page 4, line 26 there is an errant space, reference numeral "14" is used to refer to both "booster" and "control unit", reference numeral "18" is used to refer to both "working area" and "first electrode", and reference numeral "22" is used to refer to both the "anvil (counter electrode)" and "second electrode"

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 2-8 and 10-13** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 2 recites the limitation "the distance". There is insufficient antecedent basis for this limitation in the claim.

6. Claim 3 recites the limitation "the electrical conductivity". There is insufficient antecedent basis for this limitation in the claim.

7. Claim 4 recites the limitation "the wall thickness". There is insufficient antecedent basis for this limitation in the claim.

8. Claim 5 recites the limitation "the deformation level". There is insufficient antecedent basis for this limitation in the claim.

9. Claim 6 recites the limitation "the deformation level". There is insufficient antecedent basis for this limitation in the claim.

10. Claim 7 recites the limitation "the displacement". There is insufficient antecedent basis for this limitation in the claim.

11. Claim 8 recites the limitation "the wall thickness". There is insufficient antecedent basis for this limitation in the claim.

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12. Regarding claim 10, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention.

See MPEP § 2173.05(d).

13. Claim 11 recites the limitation "the temporal change". There is insufficient antecedent basis for this limitation in the claim.

14. Regarding claim 11, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention.

See MPEP § 2173.05(d).

15. Regarding claim 11, it is not clear if the claim is directed to determining welding parameters or consolidating and sealing the tube and it is unclear as which curve "this curve" refers to.

16. Regarding claim 13, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention.

See MPEP § 2173.05(d).

17. Claim 13 recites the limitation "the corresponding control curve". There is insufficient antecedent basis for this limitation in the claim. The examiner notes that the phrase "recording of control curves" should read --recording of the control curves--.

***Allowable Subject Matter***

18. Claim 1 and 9 are allowed.

***Conclusion***

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CARLOS GAMINO whose telephone number is (571) 270-5826. The examiner can normally be reached on Monday-Thursday, 8:30am-7:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jessica L. Ward can be reached on (571) 272-1223. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CG

/Kiley Stoner/

Primary Examiner, Art Unit 1793